PATENT



HE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Pavel SLANINA et al. : Examiner: Unassigned

Serial No. 10/705,926 : Group Art Unit: 1614

Filed: November 13, 2003 : Docket No.: SYN-0036

For: Process for Making Risperidone and Intermediates Therefor

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents and Trademarks P.O. Box 1450 Alexandria, VA 22313-1450 August 18, 2004

Sir:

Applicants hereby submit a copy of each document listed on the attached PTO-1449

Form, except the US patent documents, for entry into the above-identified application and consideration by the Examiner. All of the listed documents are in the English language except for two Spanish patents. The relevancy of these Spanish-language documents is set forth on page 2 line 17 to page 3 line 7; and page 3 line 13 to page 4 line 4 of the instant specification. Also, applicants point out that the synthetic scheme(s) are graphically represented in these patents; e.g. with structural formulae.

This Information Disclosure Statement is being submitted before a first Office Action on the merits under 37 C.F.R. § 1.97(b), and thus no fee is due.

This Statement should not be construed as a representation that a search has been made, that information cited in the statement is considered to be and/or is material to patentability, or

Serial No. 10/705,926

that information more material to examination of the present patent application does not exist.

The Examiner is specifically requested not to rely solely on the documents submitted herewith.

Having complied with rules 97 and 98, applicants request that the listed documents be

officially considered by the Examiner, that the Examiner initial and return a copy of the 1449

Form, and that the listed documents be printed among the "References Cited" on any patent to

issue from this application.

Should the Examiner have any questions regarding this application, the Examiner is

requested to contact applicants' representative, Mark R. Buscher (Reg. No. 35,006) at telephone

number 703 753 5256.

Respectfully submitted,

Mark R. Buscher

Registration No. 35,006

P.O. Box 161 Catharpin, VA 20143

703 753 5256

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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Complete if Known

10/705,926

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Application Number

Attorney Docket Number

Substitute for LAMATURE

Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of

Filing Date November 13, 2003

First Named Inventor Slanina et al.

Art Unit 1614

Examiner Name Unassigned

SYN-0036

| 5 | 0:4- | 5 | | DOCUMENTS | 1 0 0 0 1 |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ^{2 (# known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | ^{US-} 4,335,127 | 06-15-1982 | Vandenberk et al | |
| | | ^{US-} 4,342,870 | 08-03-1982 | Kennis et al. | |
| | | ^{US-} 4,804,663 | 02-14-1989 | Kennis et al. | |
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| | | FOREI | GN PATENT DOCU | IMENTS | | |
|-----------------------|--------------|---|---------------------|--|---|----------------|
| Examiner Initials* | Cite No.1 | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages | |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | MM-DD-YYYY | | Or Relevant Figures Appear | T ⁶ |
| | | WO 01/85731 A1 | 11-15-2001 | Radhakrishnan | | |
| | | WO 02/12200 A1 | 02-14-2002 | Krochmal | | |
| | | WO 02/14286 A1 | 02-21-2002 | Krochmal | | |
| | | EP 0 196 132 B1 | 08-12-1992 | Kennis | | |
| | | EP 0 368 388 B1 | 05-10-1995 | Janssen | | |
| | | EP 0 453 042 B1 | 10-23-1991 | Kennis | | |

| Examiner | Date | |
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| Signature | Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449 TRADEMENT

Sheet 2

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

| Complete if Known | | | | |
|------------------------|-------------------|--|--|--|
| Application Number | 10/705,926 | | | |
| Filing Date | November 13, 2003 | | | |
| First Named Inventor | Slanina et al. | | | |
| Art Unit | 1614 | | | |
| Examiner Name | Unassigned | | | |
| Attorney Docket Number | SYN-0036 | | | |

| | | | U. S. PATENT D | OCUMENTS | |
|--------------------|--|--|--------------------------------|--|---|
| Examiner Initials* | Cite No.1 | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | MM-DD-YYYY | | Or Relevant Figures Appear | Т |
| | | ES 2 050 069 | 05-01-1994 | Vita-Invest, S.A. | | |
| | | ES 2 074 966 | 09-16-1995 | Vita-Invest, S.A. | | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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| AUG 1 8 2004 25 Under the Photonwork Reduction Action TRANSMITTAL FORM (to be used for all correspondence after in | itial filing) | U.S. Pars are required to respond to a collect Application Number Filling Date First Named Inventor Art Unit Examiner Name Attorney Docket Number | tent and Tretion of Info 10/70 11/13 Slanir 1614 | ademark Office; ormation unless 15,926 6/03 na et al. | LLC DI | PTO/SB/21 (08-03) h 08/30/2003. OMB 0651-0031 EPARTMENT OF COMMERCE vs a valid OMB control number. |
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